

Handwritten mark



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,382	02/08/2001	Adrian P. Wise	94100422(EP)USC1X1C1D11 P	7169
22887	7590	01/27/2006	EXAMINER NGUYEN, DUSTIN	
DISCOVISION ASSOCIATES INTELLECTUAL PROPERTY DEVELOPMENT 2355 MAIN STREET, SUITE 200 IRVINE, CA 92614			ART UNIT 2154	PAPER NUMBER
DATE MAILED: 01/27/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/779,382	WISE ET AL.	
	Examiner	Art Unit	
	Dustin Nguyen	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-13 and 15-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-13 and 15-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-5, 7-13, 15-17 are presented for examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/23/2005 has been entered.

Information Disclosure Statement

3. Examiner requests Applicants to resubmit Foreign Patent or Published Foreign Patent Application and Other Documents as mentioned in the IDS filed on 02/08/2001 to be considered.

Response to Arguments

4. Applicant's arguments filed 10/24/2005 have been fully considered but they are not persuasive.

Art Unit: 2154

5. As per remarks, Applicants' argued that (1) White does not teach, suggest or describe control circuit that is coupled to and controls the input circuit to operate selectively in a first mode to receive raw byte data at the port from an external source and in a second mode to receive token at the port from the external source.

6. As to point (1), it is rejected for similar reasons as stated in previous Office Action. Furthermore, White discloses an input data stream is received by the compression unit from a data source called the host [i.e. an external source] [Figure 1a; col 8, lines 25-28] and uncompressed bytes in an input byte stream are input into the compression unit over line 244 [i.e. data receive from an external source] [244, Figure 7; and col 18, lines 34-36]. Also, White discloses when new input data is received by the compression unit, the present invention checks to see if a "string" of at least 2 bytes in the new input data matches the string in the history array, if so, this string of input data is encoded or, if it is not, if it represented as raw data [i.e. first mode to raw data and second mode to token] [col 10, lines 51-56].

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2154

8. Claims 1-5 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whiting et al. [US Patent No 5,016,009], in view of Dargel et al. [US Patent No 4,398,176].

9. As per claim 1, Whiting discloses the invention substantially as claimed including a decoder interface comprising:

an input circuit that has a port for receiving encoded data from an external source [232, Figure 7]; and

control circuitry that is coupled to and controls the input circuit [230, Figure 7] to operate selectively in a first mode [233, Figure 7; and col 18, lines 50-col 19, lines 10] to receive raw byte data at the port from said external source [i.e. data character stream] [Abstract; col 8, lines 25-28 and col 18, lines 34-36] and a second mode to receive tokens at the port from said external source [i.e. receive string] [Figure 4; col 8, lines 16-28; col 9, lines 41-48; and col 10, lines 51-56].

Whiting does not specifically disclose a plurality of stages, including an initial and an intermediate stage, said tokens having information for preparing said initial and/or said intermediate stage for processing.

Dargel discloses a plurality of stages, including an initial and an intermediate stage [Figure 1], said tokens having information for preparing said initial and/or said intermediate stage for processing [i.e. coded commands] [Abstract; col 2, lines 66-col 3, lines 13; and col 15, lines 67-col 16, lines 13].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Whiting and Dargel because Dargel's teaching of multiple stages would allow to speed up the processing of information by reducing communication overhead.

10. As per claim 2, Whiting discloses wherein the port comprises a coded data port [col 20, lines 42-50].

11. As per claim 3, Whiting discloses a microprocessor interface [5, Figure 1a; and col 8, lines 22-25].

12. As per claim 4, it is rejected for similar reasons as stated above in claim 3.

13. As per claim 5, Whiting discloses the control circuitry includes a byte code signal for selecting the first or second mode [col 18, lines 35-49].

14. As per claims 10-13, they are method claimed of claims 1-5, they are rejected for similar reasons as stated above in claims 1-5.

15. Claims 7-9, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whiting et al. [US Patent No 5,016,009], in view of Dargel et al. [US Patent No 4,398,176], and further in view of Horvath et al. [US Patent No 5,450,599].

16. As per claim 7, Whiting and Dargel do not specifically disclose the received raw byte data is placed into tokens. Horvath discloses the received raw byte data is placed into tokens [col 8, lines 3-24]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Whiting, Dargel and Horvath because Horvath's teaching would allow to reduce processing overhead to increase system performance.

17. As per claim 8, Horvath discloses the first byte of the raw byte data causes a token header to be generated [Figure 2; and col 4, lines 15-30].

18. As per claim 9, Horvath discloses subsequent bytes of the raw byte data appended to the token header to form tokens [Figure 2; and col 4, lines 42-58].

19. As per claims 15-17, they are method claimed of claims 7-9, they are rejected for similar reasons as stated above in claims 7-9.

20. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Follansbee John can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen
Examiner
Art Unit 2154


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100